

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/031,637
Filing Date: October 26, 2001
Title: Medicament Carrier

Attorney Docket: PG3693USW
Group Unit

Box PCT
Assistant Commissioner of Patents
Washington, D.C. 20231
Attention: PCT Legal Staff

RESUBMISSION OF PETITION

This is a resubmission of Petition for Revival of an International Application For Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b) for the 371 application, US serial number 10/031,637 filed October 26, 2001.

In May 2002, we received a Notification of Abandonment (Form PCT/DO/EO/909) mailed April 24, 2002 and received in our office on May 02, 2002. We quickly responded with a Petition for Revival of an International Application For Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b). This was express mailed to the PCT Legal Staff on May 3, 2002. We called the PCT Help Desk and was told that this was the procedure.

Today we spoke to Carol Bidwell who was able to locate the case file but said the petition was not in the file indicating that the Petition had not been received by the PCT Legal Staff Department. She said that proof of mailing was required and suggested that we fax a true copy of the petition with the true copy of the post card and express mail label to the PCT Help Desk fax today.


By way of this document we fax the following:

- 1) a true copy of the express mail receipt and post card, both dated May 3, 2002
- 2) a true copy of the Petition for Revival dated 3 May 2002
- 3) a copy of the Notification of Abandonment
- 4) a copy of the certification of express mail

Please contact us if further information is required at 919-483-2252 or fax 919-483-7988.

PLEASE CONFIRM RECEIPT OF THESE DOCUMENTS TO 919-483-7988.

Sincerely,


James P. Rick
Attorney of Record
GlaxoSmithKline
Corporate Intellectual Property Department
Five Moore Drive, PO Box 13398
Research Triangle Park, NC 27709
Telephone: 919-483-8022

11

P18/REV01

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR
PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY
UNDER 37 CFR 1.137(b)****PG3693USW****First named inventor: Michael Birsha DAVIES et al****International (PCT) Application No.: PCT/EP00/03515 filed 19 April 2000****US Application No.: 10/031,637 (if known)****Title: Medicament Carrier****Attention PCT Legal Staff
Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231**

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date for the abandonment is the day after the date on which the 35 U.S.C. 371 (c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**NOTE: A grantable petition requires the following items:**

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee-required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional

1. Petition fee

☒ Large entity - fee **\$ 1,210** (37 CFR 1.17(m)) -please charge our deposit account 07-1392 for this fee

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371 c requirement(s) in the form of:

- ☒ has been filed previously on **October 26, 2002** in the PCT/DO/EO/US as **10/031,637**
☐ is enclosed herewith

3. Terminal disclaimer with disclaimer fee

☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37CFR 1.20(d) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PCT/SB/63

- 4. ☒ Statement.** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

3 May 2002
DateJames P. RIEK (Reg. No. 39,009)

GlaxoSmithKline

Corporate Intellectual Property Dept

Five Moore Drive, PO Box 13398

Research Triangle Park, NC 27709

Telephone: 919-483-8022/Fax: 919-483-7988

11/15/2002 SNAJARRO 00000139 071392 10031637

02 FC:1453 1280.00 CH



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Dept. PCT
United States Patent and Trademark Office
Washington, D.C. 20529
Phone: (202) 279-2100

IPSS JPR

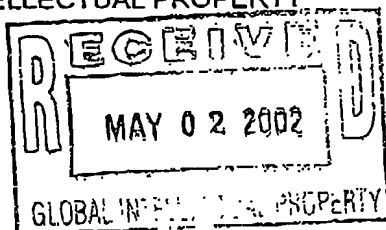
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO.
10/031,637	Michael Birsha DAVIES	PG3693USW

INTERNATIONAL APPLICATION NO.
PCT/EP00/03515

LA. FILING DATE	PRIORITY DATE
04/19/2000	04/24/1999

23347

DAVID J LEVY, CORPORATE INTELLECTUAL PROPERTY
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FIVE MOORE DR.
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CONFIRMATION NO. 4268

371
ABANDONMENT/TERMINATION
LETTER

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100
OC000000007944864

Date Mailed: 04/24/2002

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- The application was not filed in a timely manner consistent with 37 CFR 1.495
- Applicant has failed to provide the Copy of the International Application by 30 months (37 CFR 1.495(b)(2)).

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



POST OFFICE
TO ADDRESSEE



EV 022025914 US



Customer Copy
Label 11-F August 2000

ORIGIN (POSTAL USE ONLY)

PO ZIP Code 27709	Day of Delivery <input checked="" type="checkbox"/> First <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In 5302	Time In 4:20	Postage \$12.45
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FROM: (PLEASE PRINT) **GLAXOSMITHKLINE**
CORPORATE INTELLECTUAL
PROPERTY
FIVE MOORE DR
PO BOX 13398
RTP

PHONE: **PG 3693 USW**

NC 27709-3398

TO: (PLEASE PRINT) **Attention PCT LEGAL STAFF**
Box PCT
Assistant Commissioner of Patents
Washington, DC 20231

CE
1-0001


FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



DOCKET No. **PG 3693 USW** Date Mailed **MAY 3, 2002** Attv/Secy **JPR/BU**
MAILING: CERTIFICATE/EXPRESS MAIL # **Express Mail Label**
U.S. Serial No. **10/031,637** EV022025914US Filing Date:
Int'l App. No.: Int'l Filing Date:

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING **IC02 Rec'd PCT/TO 03 MAY 2002**

<input type="checkbox"/> Appln Transmit +1 copy for: <input type="checkbox"/> Provisional <input type="checkbox"/> CIP	<input type="checkbox"/> Copy of Notice to Comply
<input type="checkbox"/> Utility <input type="checkbox"/> CONTIN <input type="checkbox"/> DIV <input type="checkbox"/> RCE <input type="checkbox"/> TRADEMARK	<input type="checkbox"/> Statement to Support Filing
<input type="checkbox"/> Specification <input type="checkbox"/> pgs <input type="checkbox"/> Abstract <input type="checkbox"/> pgs	<input type="checkbox"/> Diskette <input type="checkbox"/> Sequence List
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<input type="checkbox"/> Drawings <input type="checkbox"/> Sheet(s)/Figs <input type="checkbox"/> to	<input type="checkbox"/> Petition <input type="checkbox"/> pgs
<input type="checkbox"/> Assignment <input type="checkbox"/> pgs & Recordation Cover Sheet	<input type="checkbox"/> Status Request
<input type="checkbox"/> Transmit Ltr Nat'l Stage Entry +fee pg (3pgs)	<input type="checkbox"/> 2nd Transmit for Nat'l Stage
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Resp. to Written Opinion
<input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> pgs <input type="checkbox"/> References	<input type="checkbox"/> Priority Doc #
<input type="checkbox"/> Amendment <input type="checkbox"/> Response <input type="checkbox"/> pgs	<input type="checkbox"/> Notice of Appeal +fee
<input type="checkbox"/> Petition for <input type="checkbox"/> month Extension of Time +1 copy	<input type="checkbox"/> Resp to Restrict Req <input type="checkbox"/> pgs
<input type="checkbox"/> Issue Fee Trans. (Part B) + 1 copy	<input type="checkbox"/> Req to Correct Filing Recpt
<input type="checkbox"/> Copy of Notice to File Missing Parts	<input type="checkbox"/> Copy of Filing Receipt
<input type="checkbox"/> Request for Nonpublication (1 pg)	<input type="checkbox"/> Req for Cert of Correct <input type="checkbox"/> pgs
<input type="checkbox"/> Authorization to Charge Dep. Acct # 07-1392	
<input checked="" type="checkbox"/> Petition for Revival of ABANDONED 37CFR 1.137b	
<input checked="" type="checkbox"/> Cert of Express Mail	

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Michael Birsha DAVIES et al			Docket No. PG3693USW
Serial No. 10/031,637	Filing Date	Examiner	Group Art Unit
Invention: Medicament Carrier			
<p>I hereby certify that this <u>Petition For Revival of an International Application Abandoned under 37 CFR 1.137b</u> <small>(Identify type of correspondence)</small></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.</p> <p>20231-0001 on <u>May 3, 2002</u> <small>(Date)</small></p> <div style="text-align: right; margin-top: 20px;"> <u>Elaine Martens</u> <small>(Typed or Printed Name of Person Mailing Correspondence)</small>  <small>(Signature of Person Mailing Correspondence)</small> <u>EV022025914US</u> <small>(Express Mail Tracking Label Number)</small> </div>			

Note: Each paper must have its own certificate of mailing.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 901
 United States Patent and Trademark Office
 Washington, D.C. 20231
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10/031,637	Michael Birsha DAVIES	PG3693USW

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FRANCINE YOUNG

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PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)